

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 12752	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/IB2004/003986	International filing date (<i>day/month/year</i>) 15.11.2004	Priority date (<i>day/month/year</i>) 15.11.2003
International Patent Classification (IPC) or national classification and IPC C14C11/00, C09D175/06, D06N3/14		
Applicant SCHAEFER, Philipp		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB2004/003986

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-23 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 1-50 _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* _____ received by this Authority on _____
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1-10 _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB2004/003986

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-50</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims <u>1-50</u>	YES
		Claims _____	NO
	Industrial applicability (IA)	Claims <u>1-50</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	<p>This report makes reference to the following document:</p> <p>D1: DE 201 17 724 U1</p> <p><u>1. Novelty (PCT Article 33(2))/Inventive step (PCT Article 33(3))</u></p> <p>The subject matter of present claims 1-50 is novel over the prior art as cited in the international search report.</p> <p>None of the documents cited in the international search report discloses a velour-like <u>support material</u> having a fine-fibered top side, which support material has a finishing with a <u>grain structure surface</u>, <u>capillaries</u> that are found throughout its entire thickness, and a connecting layer formed from a plastic dispersion containing polyurethane, or the corresponding production method.</p> <p>The subject matter of present claims 1-50 also involves an inventive step since neither D1 alone,</p>		

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB2004/003986

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	<p>which can be regarded as the closest prior art, nor D1 in conjunction with another document cited in the international search report, contains anything that suggests the claimed method:</p> <p>D1 discloses the production of leather that is steam-permeable, abrasion-resistant, and full grained, and an open-cell plastic layer (PU and/or polyacrylate) containing microspheres, and a polyurethane covering layer (D1: see pages 1-3).</p> <p>The subject matter of claim 1 differs therefrom by the finishing of the support, which has capillaries in addition to a grain structure.</p> <p>The technical problem can be regarded as that of providing a support material (leather or synthetic) having a finishing made of a hardened plastic dispersion, which support material is soft and abrasion-resistant as well as air and steam-permeable.</p> <p>This problem was solved by applying a thin, netlike polyurethane film containing capillaries and made of a PU dispersion, by spraying onto the support (ground leather), which has a connecting layer on its top side (see page 16, lines 9-25 and example 1). The finished leather produced in such a manner is highly steam and air-permeable.</p> <p>The prior art does not render obvious the production of the above-mentioned support, to which various</p>

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB2004/003986

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	<p>thin plastic layers are applied, and therefore the application is regarded as involving an inventive step.</p> <p><u>2. Industrial applicability (PCT Article 33(4))</u></p> <p>The application relates to a leather or synthetic support material that has a fine-fibered surface and is coated with several plastic layers, and therefore it is industrially applicable.</p>